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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

REMBRANDT GAMING TECHNOLOGIES,
LP, a Virginia limited partnership,

Case No.: 2:12-cv-775

Plaintiff,

v.

BOYD GAMING CORPORATION, a Nevada
corporation; CAESARS ENTERTAINMENT
OPERATING COMPANY, INC., a Delaware
corporation; MGM RESORTS
INTERNATIONAL OPERATIONS, INC., a
Delaware corporation; PENN NATIONAL
GAMING, INC., a Pennsylvania corporation;
AND WMS GAMING, INC., a Delaware
corporation,

**COMPLAINT FOR PATENT
INFRINGEMENT AND DEMAND FOR
JURY TRIAL**

Defendants.

1 Plaintiff REMBRANDT GAMING TECHNOLOGIES, LP (“Rembrandt”), alleges the
2 following in support of its Complaint for Patent Infringement and Demand for Jury Trial against
3 Defendants BOYD GAMING CORPORATION, a Nevada corporation; CAESARS
4 ENTERTAINMENT OPERATING COMPANY, INC., a Delaware corporation; MGM
5 RESORTS INTERNATIONAL OPERATIONS, INC., a Delaware corporation; PENN
6 NATIONAL GAMING, INC., a Pennsylvania corporation; AND WMS GAMING, INC., a
7 Delaware corporation:
8

9 **JURISDICTION AND VENUE**

10 1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and
11 1338(a) because this dispute arises under the patent laws of the United States, including 35 U.S.C.
12 §271 *et seq.*

13
14 2. This Court has personal jurisdiction over the Defendants because they are qualified
15 to do business in the State of Nevada, and have committed acts within Nevada and this judicial
16 district giving rise to this action.

17 3. Venue is proper in this district and division pursuant to 28 U.S.C. §§1391(b)(2)
18 and 1400(b), and Local Rule IA 8-1.

19 **THE PARTIES**

20
21 4. Plaintiff, Rembrandt Gaming Technologies, LP (“Rembrandt”), is a Virginia
22 limited partnership with its principal place of business at 1655 North Fort Myer Drive, Suite 700,
23 Arlington, VA 22209.

24 5. Defendant, WMS Gaming, Inc. (“WMS Gaming”) is a Delaware corporation with
25 corporate headquarters and principal place of business at 800 South Northpoint Boulevard,
26 Waukegan, IL 60618. WMS maintains a commercial registered agent in Nevada, at National
27 Registered Agents, Inc. of NV, 1000 East William Street, Suite 204, Carson City, NV 89701.
28

1 6. Defendant, Boyd Gaming Corporation (“Boyd Gaming”) is a Nevada corporation
2 with corporate headquarters and principal place of business at 3883 Howard Hughes Parkway,
3 Ninth Floor, Las Vegas, NV 89169. Boyd Gaming maintains a commercial registered agent in
4 Nevada, at c/o Brian A. Larson, 3883 Howard Hughes Building, 9th Floor, Las Vegas, NV
5 89109.

6
7 7. Defendant, Caesars Entertainment Operating Company, Inc. (“Caesars”) is a
8 Delaware corporation with its principal executive offices and principal place of business at One
9 Caesars Palace Drive, Las Vegas, NV 89109. Caesars maintains a commercial registered agent in
10 Nevada, at CSC Services of Nevada, Inc., 2215-B Renaissance Dr., Las Vegas, NV 89119.

11 8. Defendant, MGM Resorts International Operations, Inc. (“MGM”), is a Delaware
12 corporation with its principal place of business at 3600 Las Vegas Boulevard South, Las Vegas,
13 Nevada 89109. MGM maintains a noncommercial registered agent in Nevada, Vitoria T. Ferraro,
14 3950 Las Vegas Blvd. South, Las Vegas, Nevada 89119.

15
16 9. Defendant, Penn National Gaming, Inc. is a Pennsylvania corporation having
17 principal executive offices and principal place of business at 825 Berkshire Blvd, Suite 200,
18 Wyomissing, Pennsylvania. Penn National Gaming maintains a commercial registered agent in
19 Nevada, at The Corporation Trust Company of Nevada, 311 S. Division St., Carson City, Nevada
20 89703.

21
22 **FACTUAL ALLEGATIONS AS TO ALL CLAIMS**

23 10. On November 4, 2003, the U.S. Patent and Trademark Office duly and legally
24 issued U.S. Patent No. 6,641,477 entitled “Electronic Second Spin Slot Machine” (the “’477
25 Patent”). A true and correct copy of the ‘477 Patent is attached as Exhibit A.

26 11. Rembrandt holds all right, title and interest in and to the ‘477 Patent. Rembrandt
27 also possesses all rights to sue and recover for past and future infringement.
28

12. The '477 Patent is valid and enforceable.

13. Defendant, Boyd Gaming, owns, controls and operates gaming entertainment properties in the State of Nevada and elsewhere in the United States.

14. Boyd Gaming operates or has operated one or more of the following accused video slot machine games in the State of Nevada and elsewhere in the United States: Bamboozled, Jewels of Africa, The Monkees, Kingdom of the Titans, John Wayne, Survivor, Reel Rich Devil, Plataea, Cavalier, Palace of Riches III, Tiger's Realm, Griffin's Gate, Hearts of Venice, Zeus II, Sex and the City, Star Wars – Droid Hunt, Wheel of Fortune Triple Spin, Ghostbusters, Joker's Heist, Money Comb, Samurai Secrets, Ice Cap Cash, Dukes of Hazzard, Free Spin Maximus and Jungle Cats II.

15. Defendant, Caesar's, owns controls and operates numerous casino entertainment facilities in the State of Nevada, and elsewhere in the United States and internationally.

16. Caesar's operates or has operated one or more of the following accused video slot machines in the State of Nevada and elsewhere in the United States: Bamboozled, Jewels of Africa, The Monkees, Kingdom of the Titans, John Wayne, Survivor, Reel Rich Devil, Mastros, Plataea, Cavalier, Palace of Riches III, Tiger's Realm, Griffin's Gate, Hearts of Venice, Zeus II, Sex and the City, Star Wars – Droid Hunt, Wheel of Fortune Triple Spin, Ghostbusters, Money Comb, Samurai Secrets, Ice Cap Cash, Dukes of Hazzard, Double Reel Rich Devil, Dr. Jackpot and Free Spin Maximus.

17. Defendant, MGM, is in the business of owning and operating casino resorts in the United States and elsewhere in the world, including in the State of Nevada.

18. MGM operates or has operated one or more of the following accused video slot machine games in the State of Nevada and elsewhere in the United States: Bamboozled, Jewels of Africa, The Monkees, Kingdom of the Titans, John Wayne, Survivor, Reel Rich Devil,

1 Mastros, Plataea, Cavalier, Palace of Riches III, Tiger's Realm, Hearts of Venice, Zeus II, Sex
2 and the City, Star Wars – Droid Hunt and Wheel of Fortune Triple Spin.

3 19. Defendant, Penn National, is in the business of owning and operating gaming
4 resorts in the State of Nevada and elsewhere in the United States.

5 20. Penn National operates or has operated one or more of the following accused video
6 slot machine games in Nevada and elsewhere in the United States: Jewels of Africa, The
7 Monkees, Kingdom of the Titans, John Wayne, Survivor, Reel Rich Devil, Mastros, Plataea,
8 Cavalier, Palace of Riches III, Tiger's Realm, Griffin's Gate, Hearts of Venice, Zeus II, Samurai
9 Secrets, Ice Cap Cash, Sex and the City, Ghostbusters and Dr. Jackpot.

10 21. Defendant, WMS Gaming, is in the business of designing, manufacturing and
11 marketing video and reel-spinning gaming machines.

12 22. WMS Gaming sells and/or leases video and reel-spinning gaming machines and
13 video slot machine games to its customers.

14 23. WMS Gaming has made and used, and has sold and/or leased one or more of the
15 following accused video slot machine games to one or more of its customers in the State of
16 Nevada and elsewhere, including to Defendants Boyd Gaming, Caesar's, MGM and Penn
17 National: Bamboozled, Jewels of Africa, The Monkees, Kingdom of the Titans, John Wayne,
18 Survivor, Reel Rich Devil, Mastros, Plataea, Cavalier, Palace of Riches III, Tiger's Realm,
19 Griffin's Gate, Hearts of Venice and Zeus II.

20 24. One example of an infringing video slot machine game is Reel Rich Devil, made,
21 used and sold and/or leased by WMS Gaming and operated by all casino Defendants. The '477
22 Patent is infringed by its operation, including the operation of the re-spin feature in the game, as
23 demonstrated in the promotional video accompanying this Complaint as Exhibit B, depicted in
24 the following link: <https://watsonrounds.sharefile.com/d/s2b980b3902046eda>.

COUNT 1

(Infringement of the '477 Patent)

25. Rembrandt incorporates by reference the allegations of Paragraphs 1-24 of this Complaint.

26. Rembrandt has not licensed or permitted Defendants to practice any of the legal rights granted under the '477 Patent.

27. Defendants are guilty of infringement of at least Claims 32 and 34 of the '477 Patent by practicing the inventions of the '477 Patent.

28. On information and belief, Defendant WMS Gaming actively induces the infringement of at least Claims 32 and 34 of the '477 Patent.

29. On information and belief, Defendant WMS Gaming is contributorily infringing at least Claims 32 and 34 of the '477 Patent by supplying, offering to sell and/or lease and selling and/or leasing components of games and/or gaming machines for use in practicing the patented method, constituting a material part of the invention embodied in the '477 Patent, knowing the same to be especially made or adapted for use in infringement of the '477 Patent, and not a staple article or commodity of commerce suitable for substantial non-infringing use.

30. As a direct and proximate result of the Defendants' infringement of the '477 Patent, Defendants have caused and continue to cause Rembrandt to suffer damage.

PRAYER FOR RELIEF

Rembrandt prays for the following relief:

- (a) A judgment that Defendants have infringed the '477 Patent;
- (b) A judgment against each Defendant awarding Rembrandt at least reasonable royalty damages on account of the infringement;
- (c) An award of costs and attorney fees pursuant to 35 U.S.C. §285 and Fed. R. Civ. P. 54; and

(d) Any further relief deemed just and equitable by the Court.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff hereby demands a jury trial of all issues so triable.

DATED: May 9, 2012

By: /s/ Michael D. Rounds

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